

TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

Final Rule

LSA Document #11-319(F)

DIGEST

Amends 410 IAC 6-5.1-1 and 410 IAC 6-5.1-5 to remove colleges, universities, and postsecondary institutions from the rule. Effective 30 days after filing with the Publisher.

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses

410 IAC 6-5.1-1; 410 IAC 6-5.1-5

SECTION 1. 410 IAC 6-5.1-1 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-5.1-1 Definitions

Authority: IC 16-19-3-4

Affected: IC 12-17.2; IC 16-41-21; IC 20-33-2

Sec. 1. As used in 410 IAC 6-5.1-1: (a) **The definitions in this section apply throughout this rule.**

(b) "Approved" means approved by the state board in all instances where not otherwise specified.

(c) "Classroom" ~~is~~ **means** any place or area within a school in which students are instructed.

(d) "Dormitory" ~~is~~ **means** any place, area, room, or building occupied and provided by the school for student housing.

(e) "Food service" ~~is~~ **means** any place, area, or room within a school building or dormitory where food is routinely prepared and served.

(f) "Grade or grade level" ~~is~~ **means** the finished ground level at the face of the exterior walls.

(g) "Local health officer" means the health officer of any county or local health department, or his **or her** duly authorized representatives.

(h) "Person" means:

(1) an individual;

(2) a partnership;

(3) a copartnership;

(4) a firm;

(5) a company;

(6) an association;

(7) a society;

- (8) a holding company;
- (9) a trustee;
- (10) a school corporation;
- (11) a school city;
- (12) a school town;
- (13) a school district;
- (14) any consolidated unit of government; or
- (15) any other legal entity, its or their successors or assigns, or agent of any of the aforesaid.

(i) "School" ~~is~~ **means** any place, or structure in which systematic instruction of any kind or grade is carried on for more than **ten** (10) persons for five **(5)** hours or more per week or two and one-half **(2 1/2)** hours or more per day, including preschools, kindergartens; elementary and secondary schools providing instruction to meet the compulsory attendance law ~~pursuant to IC 20-8.1-3-17; colleges, universities and other post-secondary educational institutions. under IC 20-33-2.~~

(j) The following shall not be considered to be educational institutions subject to the provisions of ~~410 IAC 6-5.1:~~ **this rule:**

- (1) Sunday schools and vacation Bible schools, and any other program of a religious entity except those that are accredited by the Indiana state department of education. ~~or~~
- (2) Daycare centers subject to the provisions of ~~IC 12-3-2;~~ **or IC 12-17.2.**
- (3) Private residences. ~~or~~
- (4) Any educational ~~institutional~~ **institution** or educational training that: ~~is:~~
 - (A) ~~is~~ maintained or given by an employer or group of employers, without charge, for his, **her**, or their employees or for persons they anticipate employing; ~~or~~
 - (B) ~~is~~ maintained or given by a labor organization, without charge, for its or their members or apprentices; or
 - (C) offers exclusively instruction ~~which~~ **that** is clearly self-improvement, motivational, or avocational in intent, including, but not limited to, instruction in dance, religion, music, self-defense, or private tutoring.
- (5) Any private religious school except those that are accredited by the state department of education.

(k) "School building or facility" ~~is~~ **means** any structure used in connection with the operation of schools, including the site therefor, the equipment thereof, and all appurtenances thereto, such as heating, ventilation, water supply, sewage disposal, plumbing, drainage, lighting, walks, drives, playgrounds, athletic fields, and other necessary structures and improvements used in connection therewith.

(l) "School site" ~~is~~ **means** a plot of ground or property set apart for the use of a school.

(m) "State board" means the state board of health.

(n) "State health commissioner" means the commissioner of the Indiana state board of health or his **or her** duly authorized representatives.

(o) "Swimming pool" ~~is~~ **means** any structure, basin, chamber, or tank containing a body of water

for swimming, diving, or recreational bathing, including its appurtenances. *(Indiana State Department of Health; 410 IAC 6-5.1-1; filed Jan 18, 1985, 10:02 a.m.: 8 IR 596; filed May 20, 1986, 4:00 p.m.: 9 IR 2687; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234; readopted filed May 22, 2007, 1:44 p.m.: 20070613-IR-410070141RFA)*

SECTION 2. 410 IAC 6-5.1-5 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-5.1-5 Physical facilities

Authority: IC 16-19-3-4

Affected: IC 16-41-21

Sec. 5. (a) All school buildings or parts thereof used for school purposes shall:

- (1) be located, constructed, and maintained to protect the health and safety of the students; and ~~shall~~
- (2) include provisions for the physically handicapped.

(b) All school buildings or parts thereof used for school purposes shall at all times be:

- (1) maintained in a clean, safe, and sanitary condition; and ~~be~~
- (2) in a good state of repair.

(c) Classrooms for preschool, kindergarten, and first or second grade students shall be part of the first story above grade, except where the building is fully sprinklered.

(d) In all classrooms, each student shall be provided with no less than **thirty** (30) square feet of classroom area. The ceiling height for classrooms shall not be less than **seven and one-half** (7 1/2) feet.

(e) All interior surfaces in school buildings shall be well maintained, easily cleanable, and of nontoxic, durable construction. Each floor of a school building shall have adequate space provided for storage of cleaning equipment.

(f) All portions of school buildings or parts ~~thereof~~ **thereof** used for school purposes shall be provided with natural light by means of exterior glazed openings with an area not less than one-tenth **(1/10)** of the total floor area, or shall be provided with artificial light. Windows shall be provided on only one **(1)** side of each classroom.

(1) In all school buildings utilizing electrical light fixtures, the following average minimum levels of illumination (with variation in uniformity not to exceed two **(2)** to one **(1)**) shall apply:

| | |
|--|--------------------|
| Classrooms, laboratories, study halls, lecture rooms, art rooms, offices, libraries, and shops | 50 foot-candles |
| Drafting rooms, typing rooms, sewing rooms, and those portions of rooms where detail work is to be done | 70 foot-candles |
| Reception rooms, gymnasiums, cafeterias, food service areas*, and indoor swimming pools | 20 foot-candles |
| *(410 IAC 7-15-1 requires (410 IAC 7-24 requires that certain portions of food service areas be lighted in excess of twenty (20) foot-candles.) | |
| Auditoriums**, shower/locker rooms, inside restrooms, corridors, store rooms, service areas, and stairways | 10 foot-candles |

** (If used as a classroom, study hall, or lecture room, auditoriums shall be provided with a minimum of **fifty** (50) foot-candles of light.)

(2) For the purposes of ~~item subdivision~~ (1), ~~above~~, all light intensity measurements shall be at the level of work, or in rooms where no work is done, at a height of **thirty** (30) inches above the floor.

(3) All classroom lighting shall be constructed to minimize direct glare.

(g) All light fixtures located in student areas shall be shielded to protect the students from injury due to bulb breakage.

(h) The exterior windows in classrooms shall be equipped with blinds, window shades of translucent material, or other approved means to control natural light.

(i) In student areas, windows having sills **thirty** (30) inches or less from the floor shall be provided with approved safety glass or with protective devices installed on the interior of the room.

(j) All portions of school buildings or parts thereof used for school purposes shall be provided with natural ventilation by means of operable exterior windows with an area of not less than one-twentieth (**1/20**) of the total floor area or shall be provided with a mechanically operated ventilating system. The mechanically operated ventilating system shall supply a minimum of five (**5**) cubic feet per minute of outside air, with a total circulation of not less than **fifteen** (15) cubic feet per minute per occupant in all portions of the building. Each such ventilating system shall be kept continuously in operation whenever a room it serves is occupied.

(1) Ventilation shall be sufficient to provide adequate oxygen **and** a character of freshness in the air and to remove exhaled air and undesirable odors during periods of student occupancy.

(2) Assembly rooms, auditoriums, gymnasiums, dressing rooms, interior restrooms, laboratories, shops, and other areas where toxic or otherwise objectionable odors are produced shall be mechanically exhausted to the outside.

(k) All school buildings or parts ~~thereof~~ **thereof** used for school purposes shall be equipped with heating facilities with capacity sufficient to maintain a uniform temperature in all student areas under severest weather conditions. Portable space heaters are prohibited.

(1) Heating facilities shall be capable of and shall be operated to maintain a temperature during periods of student occupancy not less than **sixty-eight** (68) ~~°F.~~ **degrees Fahrenheit** in all instructional rooms, offices, locker rooms, and cafeterias, not less than **sixty-five** (65) ~~°F.~~ **degrees Fahrenheit** in activity rooms and shops, and not less than **sixty** (60) ~~°F.~~ **degrees Fahrenheit** in interior toilet rooms.

(2) Heating facilities shall be constructed in such a manner that drafts and uneven heating are minimized.

(3) Pipes, ducts, and radiators containing steam or hot water and located in student areas shall be shielded to protect occupants from injury.

(4) Heating facilities shall be constructed, operated, and maintained for the efficient consumption and utilization of energy.

(l) Where provided, air-conditioning systems shall be capable of and shall be operated to maintain a temperature not to exceed **seventy-eight** (78) ~~°F.~~ **degrees Fahrenheit** and ~~65~~ **sixty-five percent (65%)**

relative humidity during periods of student occupancy.

(m) The building electrical systems shall comply with the applicable requirements of the Indiana electrical rules (~~675 IAC 6-1-1 through 2~~). (**675 IAC 17**).

(1) The building electrical systems shall be:

(A) sufficient to meet peak electrical demands; and ~~shall be~~

(B) maintained for the efficient consumption and utilization of energy.

(2) Classrooms shall be provided with electrical receptacles, located as required for connection of semipermanent or often used equipment.

(3) All electrical receptacles and switches accessible to the students shall be shielded to prevent accidental shock. All electrical wiring accessible to the students shall be protected to prevent electric shock.

(4) In all restrooms and shower/locker rooms constructed after the effective date of ~~410 IAC 6-5-1~~, **this rule**, electrical receptacles provided for connection of personal grooming equipment shall be provided with ground fault circuit interrupters to prevent electric shock.

(n) All furniture and equipment used in any school building or a part of a building used for school purposes shall be durable and easily cleanable, with rounded corners and edges, and otherwise protected to ensure safety. Heights of furniture and equipment shall be based on the size of students using them.

(o) All primary and secondary school buildings or parts thereof used for school purposes shall provide storage for the clothing and belongings of each student. Lockers, hanger bars, or hooks shall be provided at the ratio of one (**1**) for each student. Heights of lockers, hanger bars, hooks, and shelves shall be based on the size of students using them. Where provided, lockers shall ~~set~~ **sit** upon closed front bases.

(p) Drinking water facilities shall be provided in all school buildings or parts thereof used for school purposes.

(1) The temperature of the water supplied for drinking purposes shall not be lower than **forty** (40) ~~F. degrees Fahrenheit~~ nor higher than **seventy-five** (75) ~~F. degrees Fahrenheit~~.

(2) Drinking water facilities shall be provided at the ratio of one (**1**) for each **seventy-five** (75) students or fraction thereof.

(3) Drinking water facilities shall be:

(A) constructed of impervious, easily cleanable materials; and ~~shall be~~

(B) kept clean and in a good state of repair.

Heights of drinking water facilities shall be based on the size of students using them.

(4) Drinking water facilities shall not be located in toilet rooms.

(5) Drinking fountains, where provided, shall be convenient to primary rooms, gymnasiums, playgrounds, and shops, but may be located to serve the greatest number of students. At least one (**1**) conveniently located drinking fountain shall be provided on each floor having classrooms.

(6) Drinking fountains, where provided, shall have a sanitary type guarded angle-stream jet head and an adjustable flow regulator. The outlet shall not be below the flood rim of the fixture.

(q) Service sinks or similar facilities shall be provided in all school buildings or parts thereof used for school purposes.

(1) There shall be provided a minimum of one (**1**) service sink or similar facility on each floor of

the building, located near the storage space for cleaning equipment.

(2) Both hot and cold running water under pressure shall be available at each service sink.

(3) All service sinks or similar facilities shall be protected against back-siphonage.

(r) Provisions shall be made in all schools so that health examinations, screening tests, and first-aid service can be conducted to protect the health and safety of the students.

(1) Space shall be provided for one **(1)** cot for each **three hundred** (300) students in the school.

Cots shall be:

(A) constructed of cleanable material; and ~~shall be~~

(B) disinfected after each use.

Linens, pillows, and blankets, where provided, shall be washed after each use and stored in a manner to prevent contamination.

(2) As a minimum, a first aid kit consisting of:

(A) forty-eight (48) one **(1)** inch by three **(3)** inch plastic adhesive bandages;

(B) ten (10) ammonia inhalants;

(C) twenty (20) PVP swabs;

(D) four ~~(4)~~ two **(2)** inch offset bandages;

(E) one ~~(1)~~ **forty** (40) inch triangular bandage;

(F) six ~~(6)~~ one-eighth ~~(1/8)~~ ounce burn ointments;

(G) one ~~(1)~~ four **(4)** inch offset bandage;

(H) one ~~(1)~~ one **(1)** ounce eye wash;

(I) ten ~~(10)~~ stingkill swabs;

(J) one ~~(1)~~ cold ~~pak;~~ **pack;** and

(K) eight ~~(8)~~ knucklebands;

shall be provided in a readily accessible location.

(3) Restroom and handwashing facilities shall be located convenient to the cot space.

(s) Each school building or parts thereof used for school purposes shall be provided with restroom and sanitary facilities. Restrooms and sanitary facilities shall be kept in a clean condition, in good repair, well lighted, and adequately ventilated. In cases where privies are provided, they shall be of the sanitary vault-type, constructed and operated in compliance with the standards of the state board.

(1) There shall be separate, readily accessible general-student-use restrooms for each sex. Restrooms shall not be more than **two hundred** (200) feet travel distance from any classroom for which they are provided. In all school buildings constructed or first utilized after the effective date of ~~410 IAC 6-5.1, this rule~~, interior restrooms, where provided for primary and secondary students, shall be located on each floor having classrooms. Restrooms adjoining and opening into preschool through second grade classrooms may be used by both sexes.

(2) Separate shower/locker rooms shall be provided for each sex using a gymnasium.

(3) Separate restrooms shall be provided for school staff or a locked compartment in both boys' and girls' restrooms shall be provided for the staff. ~~Exception: Separate restroom facilities are not required for staff in post-secondary school buildings.~~

(4) Restrooms shall be equipped with lavatories or other satisfactory handwashing facilities, or such equipment shall be installed in an adjacent room through which the users must pass upon egress from the restroom. In cases where privies are provided, handwashing facilities shall be provided at a location through which the users must pass upon reentering the school building.

(5) Restroom and shower/locker room entrances shall be screened to make the interior of the room hidden from the exterior.

(6) All restroom and shower/locker room floors shall be of smooth, nonporous materials. Walls and ceilings shall be of materials presenting a smooth, nonabsorbent, easily cleaned surface.

(7) All shower/locker rooms and interior restrooms shall be provided with mechanical exhaust ventilation.

(8) All exterior door openings and operable windows of restrooms and shower/locker rooms shall be fly-proof and tight-fitting.

(9) Toilet fixtures, lavatories, and shower heads shall be provided for each sex in accordance with the applicable requirements of the Indiana plumbing rules (~~675 IAC 5-1-1 through 3~~). **(675 IAC 16)**. The number of fixtures provided shall be based on the maximum occupancy of the school. The heights of fixtures shall be based on the size of students using them.

(10) Interior toilet fixtures shall be of the water-flushed type. Multiple seat toilets or makeshift trough arrangements shall not be provided even though they may be equipped for water flushing. All toilet fixtures shall be protected against back-siphonage.

(11) Every water closet shall have an elongated bowl with open-front seat and shall be made of impervious material. All water closets shall be partitioned as necessary to provide individual stalls. Stall partitions shall extend to a height of not less than **five and one-half** (5 1/2) feet from the floor and the bottom shall not be more than one **(1)** foot above the floor. Partitions shall be of smooth surface, impervious, easily cleanable material; wood surfaces are not acceptable. An adequate supply of toilet paper shall be provided in a dispenser at each water closet or privy.

(12) Covered disposal facilities shall be provided in the restrooms for junior high school age girls and above and in the restrooms for female staff.

(13) An adequate supply of soap and individual sanitary towels in dispensers, or other approved hand-drying devices, shall be provided convenient to all handwashing facilities. Common towels are not acceptable. If individual sanitary towels are provided, a suitable container for used towels shall also be provided.

(14) Where showers are provided, the nozzles shall be of the slanting spray-type.

(15) Body washing facilities shall be supplied with hot and cold water, under pressure. Hot water provided for body washing and handwashing facilities shall be maintained between **one hundred five** (105) ~~°F~~ **degrees Fahrenheit** and **one hundred twenty** (120) ~~°F~~ **degrees Fahrenheit**. An anti-scald device shall be provided to automatically control the hot water temperature so that it cannot exceed **one hundred twenty** (120) ~~°F~~ **degrees Fahrenheit**. Either mixing-type faucets or automatic mixing devices shall be provided at each body washing facility.

(16) As a minimum, an adequate supply of cold water, under pressure, shall be provided at all handwashing facilities. Each handwashing facility provided with hot water shall have either a mixing-type faucet or an automatic mixing device.

(t) All student housing and dormitories, where provided by the school, shall be kept in good repair and shall be maintained in a clean, safe, and sanitary condition.

(1) Sleeping rooms shall be sized to provide an area of not less than **fifty** (50) square feet per student. Separate sleeping areas shall be provided for each sex.

(2) Separate restroom and sanitary facilities shall be provided for each sex. Restroom and sanitary facilities shall comply with applicable sections of ~~410 IAC 6-5.1~~ **this rule**.

(3) Food services and related facilities shall comply with applicable sections of ~~410 IAC 6-5.1~~ **this**

rule.

(Indiana State Department of Health; 410 IAC 6-5.1-5; filed Jan 18, 1985, 10:02 a.m.: 8 IR 598; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234; readopted filed May 22, 2007, 1:44 p.m.: 20070613-IR-410070141RFA)